

Exhibit 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Charleston Division**

DEREK CLEMENTS, <i>et al.</i> ,)	
)	
Plaintiffs)	
)	
v.)	Civil Action No. 2:22-cv-02069-RMG
)	
LLOYD J. AUSTIN, III,)	
)	
Defendant.)	
_____)	

DECLARATION OF CADET JIN JOHNSON

I, Jin Johnson, am a Cadet at the United States Coast Guard Academy.

I am being denied access to either BAH or Per Diem while being on Temporary Duty (TDY) orders due to the superintendent of the academy comparing this situation to the situation in which all cadets were sent home during the start of the Covid-19 pandemic. The justification for both situations was given that “the Superintendent has ordered you to return to your home of record as an alternate worksite. You are not entitled to per diem or lodging expenses, but you are entitled to cadet basic pay and meal rations. This is the same status and entitlement that were provided to the Corps of Cadets when the Corps was ordered home during the earlier phase of Covid-19.” In doing so, they are equating our command-controlled situation to the complete emergency relocation of the entire corps due to an emergency caused by an unknown new virus. Due to my current status with my parents, I lived out of the back of my truck for 4 days until I could find somewhere to stay with one of my friends, putting an unreasonable burden on all parties involved. I was only given 23 hours and 40 minutes to vacate the academy grounds or be

forcefully removed. My Coast Guard appointed duty station is the address listed as my home of record. I am technically being ordered to quarter in the homes of private citizens. I am simultaneously being disallowed from attending classes online through the academy and being denied Coast Guard housing or compensation.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 31, 2022.



Lin Johnson